

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Tony Terrail Daniels

Docket No. 5:10-CR-327-2H

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tony Terrail Daniels, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 50 Grams or More of Cocaine Base (Crack), 21 U.S.C. § 846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on January 11, 2012, to the custody of the Bureau of Prisons for a term of 135 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Tony Terrail Daniels was released from custody on March 02, 2018, at which time the term of supervised release commenced.

On March 20, 2018, the court was notified that the defendant provided a urine sample on March 6, 2018, that returned positive for marijuana on March 12, 2018. As a result of this noncompliance, it was recommended that he be afforded the opportunity to participate in substance abuse treatment and in the Surprise Urinalysis Program. The court concurred.

On April 10, 2018, the court was notified that the defendant provided a urine sample on March 22, 2018, that returned positive for cocaine on March 31, 2018. As a result of this noncompliance, it was recommended that the defendant be continued in substance abuse treatment, the Surprise Urinalysis Program, and complete a 30 day period of Location Monitoring (Curfew). The court concurred.

On May 2, 2018, the court was notified that the defendant was charged in Wake County, North Carolina, with Misdemeanor Second Degree Trespass. The probation office recommended that this case be allowed to resolve itself in state court with no further court action taken at this time. The court concurred. This charge remains pending.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant provided a urinalysis on May 24, 2018, that returned positive for cocaine on June 3, 2018. As a result of his continued drug use, the defendant was verbally reprimanded for his poor decision to use an illegal substance. The probation office is also recommending that he be continued in the Surprise Urinalysis Program, substance abuse treatment, and complete a 90 day period of Location Monitoring (curfew). The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 90 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

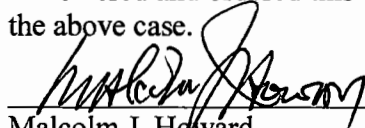
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Maurice J. Foy
Maurice J. Foy
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8678
Executed On: June 06, 2018

ORDER OF THE COURT

Considered and ordered this 7th day of June 2018 and ordered filed and made a part of the records in
the above case.



Malcolm J. Howard
Senior U.S. District Judge